

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
W/S Kelbark Court, 263 ft. S of c/l of Quatman Avenue
8 Kelbark Court
14th Election District
6th Councilmanic District
Louis E. Heidrick, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-403-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 21 ft. in lieu of the required 30 ft. for an addition, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance, and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, including letters in support for the Petition from their immediate neighbors, and the photographs presented, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photos, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variances should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 22nd day of May, 1992 that the Petition for a Zoning Variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 21 ft. in lieu of the required 30 ft. for an addition, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mm

ORDER RECEIVED FOR FILING
Date 5/22/92
By *Mr. Howard*

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-1886

May 20, 1992

Mr. and Mrs. Louis E. Heidrick
8 Kelbark Court
Baltimore, Maryland 21234

RE: Petition for Residential Zoning Variance
Case No. 92-403-A

Dear Mr. and Mrs. Heidrick:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
encl.

PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 92-403-A

The undersigned, legal owner(s) of the property located in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 1B02.3.C.1 of the B.C.Z.R. to Permit A Rear Yard Setback of 21' in lieu of the Required 30'.

of the Zoning Regulations of Baltimore County for the following reasons: (unless hereby or granted otherwise)

Variance is needed to add family room addition to property. This is a permitted purpose and conformance to the code would be unnecessarily burdensome on the property owner. Relief in no way would affect density, public health or safety, or the spirit or intent of height, area, off-street parking, or sign regulations.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I/we agree to pay expenses of the above posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/we do solemnly declare and affirm, under the penalty of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser:

(Type or print name)

(Signature)

Address

City

State

Zip Code

Attorney for Petitioner:

(Type or print name)

(Signature)

Address

City

State

Zip Code

Legal Owner(s):

(Type or print name)

(Signature)

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AFFIDAVIT

IN SUPPORT OF ADMINISTRATIVE VARIANCE 92-403-A

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) believe competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at 8 Kelbark Court

Baltimore MD 21234

City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (unless hereby or granted otherwise)

Variance is needed to add family room addition to property.

This is a permitted purpose and conformance to the code

would be unnecessarily burdensome on the property owner.

Relief in no way would affect density, public health or

safety, or the spirit or intent of height, area, off-street

parking, or sign regulations.

ZONING DESCRIPTION FOR: 8 Kelbark Court

Beginning at a point on the west side of Kelbark Court which is 100 feet wide at the distance of 263.62 feet south of the centerline of the nearest improved intersecting street Quatman Avenue which is 50 feet wide. Being Lot # 10, Block A, Section One in the subdivision of Park Ridge Addition as recorded in Baltimore County Plat Book #35, Folio #91, containing 8447 square feet. Also known as 8 Kelbark Court and located in the 14th Election District.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District 14th

Date of Posting 4/27/92

Posted for: Variance

Petitioner: Louis E. Heidrick

Location of property: W/S Kelbark Ct., 263' S of Quatman Ave.

T. Kelbark Ct.

Location of Sign: 8 Kelbark Ct. 263' S of Quatman Ave.

Property of: P. Heidrick

Remarks: None

Posted by: [Signature]

Date of return: 5/1/92

Number of Signs: 1

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Date

Account: R-001-6150
Number

PAID PER HAND-WRITTEN RECEIPT DATED 4/15/92

5/04/92

H9200439

PUBLIC HEARING FEES	QTY	PRICE
010 -ZONING VARIANCE (IRL)	1 X	\$50.00
080 -POSTING SIGNS / ADVERTISING	1 X	\$35.00
TOTAL:		\$85.00

LAST NAME OF OWNER: HEIDRICK

Please Make Checks Payable To: Baltimore County

Cashier Validation

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

No. 123805

DATE 4-15-92

ACCOUNT R-001-6150

AMOUNT \$ 85.00

RECEIVED FROM LOUIS HEIDRICK

FOR FILING FEE ZONING VARIANCE

040040007NICHRC

DA 0002-20904-00/92

VALIDATION OR SIGNATURE OF CASHIER

PRINT NAME AGENCY YELLOW - CUSTOMER

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

May 19, 1992

Mr. & Mrs. Louis E. Heidrick
8 Kelbark Court
Baltimore, MD 21234

RE: Item No. 439, Case No. 92-403-A
Petitioner: Louis E. Heidrick, et ux
Petition for Administrative Variance

Dear Mr. & Mrs. Heidrick:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this
15th day of April 1992.

Carl Jablon
ARNOLD JABLON
DIRECTOR

Received By:
W. Carl Richards Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Louis E. Heidrick, et ux
Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND

OFFICE OF PLANNING AND ZONING
New Courts Building
401 Bosley Avenue
Towson, MD 21204

MEMORANDUM

TO: Arnold Jablon, Director - Zoning Administration & Development Management

FROM: Ervin McDaniel, Chief Development Review Section
Office of Planning and Zoning

DATE: April 28, 1992

SUBJECT: PETITIONS FROM ZONING ADVISORY COMMITTEE - April 20, 1992 & April 27, 1992

The Office of Planning and Zoning has no comments on the following petitions:

Charles Eisman - ITEM 425
Gary P. Sweat - ITEM 430
Kathleen and Jimmy Ledwell
Jeffrey and Doris Scheeler
Louis and Janet Heidrick

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning and Zoning at 887-3211.

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: April 30, 1992

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: April 27, 1992

LEGAL OWNER: Louis E. Heidrick: 499

There are no comments for this site.

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson

SUBJECT: Zoning Advisory Committee

DATE: May 12, 1992

The following item and corresponding legal owner have produced a no comment by the staff of the Department of Environmental Protection and Resource Management:

Item # 499 Louis E. Heidrick and Janet L. Heidrick

If you have any questions, please contact me at extension 2762.

J. Lawrence Pilson
J. Lawrence Pilson, Development Coordinator
Department of Environmental Protection
and Resource Management

JLP:tjl
HEIDRICK.ZON/TXTSBP

Baltimore County Government
Fire Department

700 East Joppa Road, Suite 901
Towson, MD 21204-5500

MAY 7, 1992

(301) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: LOUIS E. HEIDRICK AND JANET L. HEIDRICK

Location: #8 KELBARK COURT

Item No.: 439* (JCM) Zoning Agenda: APRIL 27, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Carl Jablon* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/KEK

RECEIVED
MAY 11 1992
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 4, 1992
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for May 4, 1992

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for the following items: (no item numbers assigned for five properties)

Item 430

K. Ledwell SE/S Old Hanover Road
J. Scheeler and D. Hall-Scheeler 2212 Maple Road
New North Point Company, Inc. 3838 North Point Road
BBS Building Limited 1313 York Road
L. Heidrick #8 Kelbark Court

ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

April 30, 1992

(410) 887-3353

Louis and Janet Heidrick
8 Kelbark Court
Baltimore, Maryland 21234

Re: CASE NUMBER: 92-403-A
LOCATION: W/8 Kelbark Court, 263' S of c/o Quoniam Avenue
8 Kelbark Court
14th Election District - 6th Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before May 3, 1992. The closing date is May 18, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in two local newspapers. Charges related to the reporting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner, Baltimore County

Plat to accompany Petition for Zoning Variance Special Hearing

PROPERTY ADDRESS: 8 Kelbark Court - Baltimore, MD 21234

Supplemental Item: Park Ridge Addition - Section One

Plat Book 33, Folio 91, lot 10, section 1

Block A

OWNER: Louis E. & Janet L. Heidrick

date: 4/13/92

Prepared by: L. E. Heidrick

Scale of Drawing: 1" = 50'

REFERENCE:
Plat entitled "RESUBDIVISION OF PARK RIDGE ADDITION, Section One," dated May 3, 1972, and recorded among the Plat Records of Baltimore County in Liber ATG 35, folio 91.

LOCATION INFORMATION

Countymanic District: 6

Election District: 14

1:200' scale map: NE - 7E & 8E

Zoning: DR 5.5

Lot area: 0.1939

8447.02

square feet

Chesapeake Bay Critical Area: None

Prior Zoning Hearing: None

SEVEN: ☒ ☐ ☐ ☐ ☐ ☐ ☐

WATER: ☐ ☐ ☐ ☐ ☐ ☐ ☐

Zoning Office USE ONLY

Reviewed by: JCM

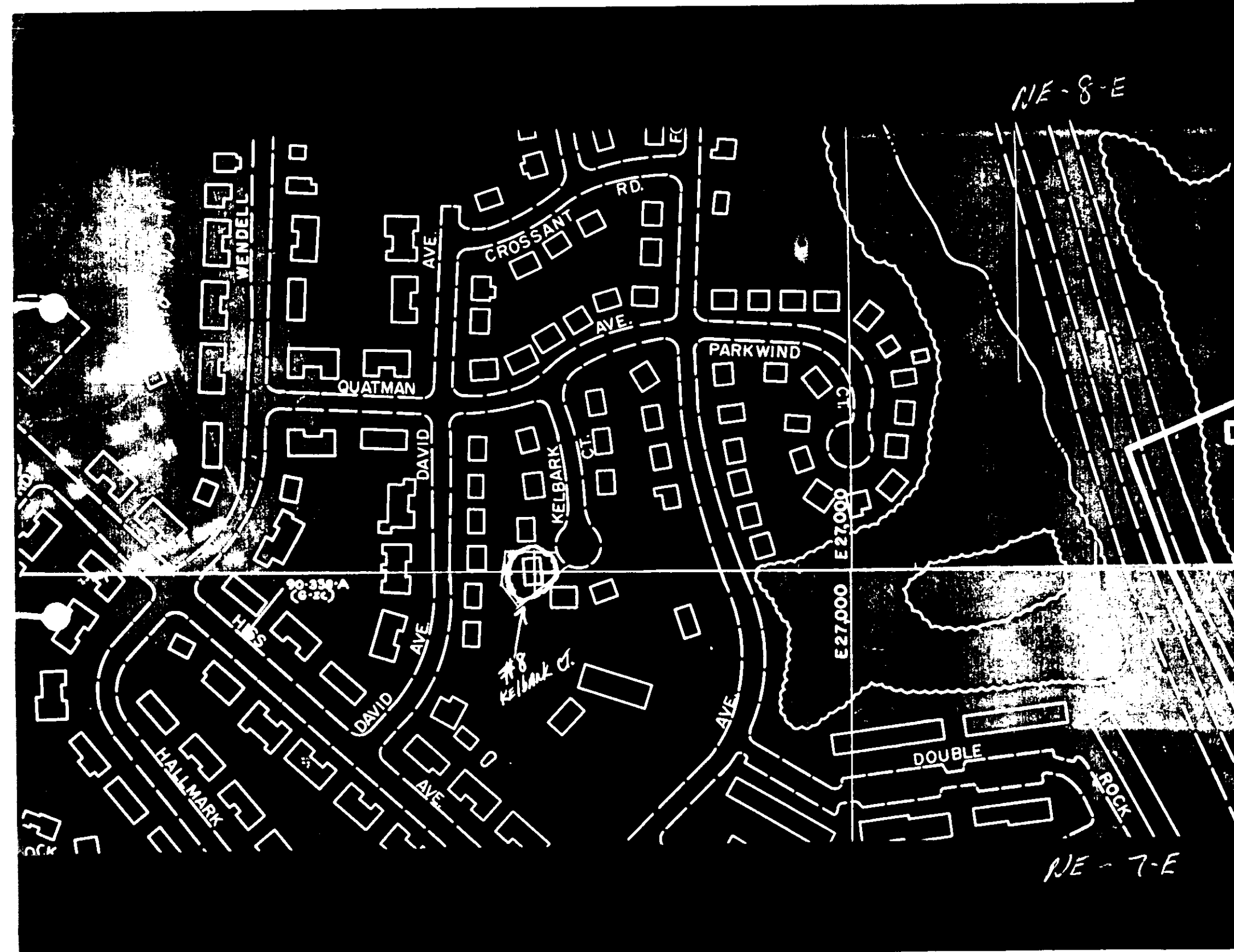
Item #: 439

Case:

92-403-A

92-403-A

92-403-A



92-403-A

PREPARED BY AIR PHOTOGRAPHY INC.
BARTHOLOMEW, W.V. 26509

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING PHOTOGRAPHIC MAP

SCALE
1" = 200' ±

DATE OF
PHOTOGRAPHY
JANUARY 1988

LOCATION
FULLERTON
PARKVILLE

SHEET
NE
8-E